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United Nations pension system

Report of the Fifth Committee

Rapporteur: Mr. Patrick A. **Chuasoto** (Philippines)

I. Introduction

1. At its 2nd plenary meeting, on 19 September 2008, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its sixty-third session the item entitled "United Nations pension system" and to allocate it to the Fifth Committee.

2. The Fifth Committee considered the item at its 20th and 28th meetings, on 24 November and 23 December 2008. Comments and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records (A/C.5/63/SR.20 and 28).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the United Nations Joint Staff Pension Board on its fifty-fifth session;[1]

(b) Report of the Secretary-General on the investments of the United Nations Joint Staff Pension Fund and steps and efforts undertaken to increase diversification (A/C.5/63/2);

(c) Report of the Secretary-General on the administrative and financial implications arising from the report of the United Nations Joint Staff Pension Board (A/63/363);

(d) Related report of the Advisory Committee on Administrative and Budgetary Questions (A/63/556).

[1] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 9* (A/63/9).

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4. At the 20th meeting, on 24 November, the Chairman of the United Nations Joint Staff Pension Board introduced the report of the Board[1] (see A/C.5/63/SR.20).

II. Consideration of draft resolution A/C.5/63/L.7

5. At its 28th meeting, on 23 December, the Committee had before it a draft resolution entitled "United Nations pension system" (A/C.5/63/L.7), submitted by the Rapporteur on the basis of informal consultations.

6. At the same meeting, the Committee adopted draft resolution A/C.5/63/L.7 without a vote (see para. 8).

7. The recommendation of the Fifth Committee on the administrative and financial implications arising from the report of the United Nations Joint Staff Pension Board (A/63/363) and the related report of the Advisory Committee on Administrative and Budgetary Questions (A/63/556) will be contained in the report of the Fifth Committee on agenda item 118, Programme budget for the biennium 2008-2009 (A/63/648/Add.5).

III. Recommendation of the Fifth Committee

8. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

United Nations pension system

The General Assembly,

Recalling its resolutions 55/224 of 23 December 2000, 57/286 of 20 December 2002, 59/269 of 23 December 2004, 61/240 of 22 December 2006 and 62/241 of 22 December 2007,

Having considered the report of the United Nations Joint Staff Pension Board for 2008 to the General Assembly and to the member organizations of the United Nations Joint Staff Pension Fund,[1] including the financial statements of the United Nations Joint Staff Pension Fund for the biennium ended 31 December 2007, the audit opinion and report of the Board of Auditors thereon, the information provided on the internal audits of the Fund and the observations of the Board, the reports of the Secretary-General on the investments of the Fund[2] and on the administrative and financial implications arising from the report of the United Nations Joint Staff Pension Board[3] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[4]

1. *Takes note* of the report of the United Nations Joint Staff Pension Board,[1] in particular, the action taken by the Board as set out in chapter II.B of the report;

2. *Notes* that the report of the Board of Auditors on the accounts of the United Nations Joint Staff Pension Fund for the biennium ended 31 December 2007 indicated that the financial statements presented fairly, in all material respects, the financial position of the Fund and that the transactions tested as part of the audit were, in all significant respects, in accordance with the Regulations and Rules of the Fund and legislative authority;[5]

3. *Endorses* the recommendation of the Advisory Committee on Administrative and Budgetary Questions,[4] subject to the provisions of the present resolution;

I

Administrative arrangements, revised budget and longer-term objectives of the United Nations Joint Staff Pension Fund

4. *Takes note* of the information set out in paragraphs 180 to 197 of the report of the United Nations Joint Staff Pension Board[1] on the revised budget estimates for the biennium 2008-2009;

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[1] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 9* (A/63/9).

[2] A/C.5/63/2.

[3] A/63/363.

[4] A/63/556.

[5] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 9* (A/63/9), annex VIII.

5. *Approves* the increase of 2,204,000 United States dollars in total additional resources for the biennium 2008-2009, noting that the revised estimates for the biennium would amount to a total appropriation of 153,199,100 dollars;

II
Benefit provisions

6. *Endorses* the decision taken by the Board in 2007, in which it reaffirmed its earlier decision maintaining that the United Nations Joint Staff Pension Fund should determine entitlements to pension benefits, in particular under articles 34 and 35 of the Regulations of the Fund, which cover spousal benefits, in accordance with the personal status of a participant as recognized and reported to the Fund by the participant's employing organization, on the understanding that the final verification that the personal status has remained the same will be done by the Fund at the time of granting such pension benefits;

7. *Approves* the changes in the benefit provisions that would streamline the application of the relevant provisions governing family members or former family members under articles 35 bis, 35 ter and 36, as set out in annex XIV to the report of the Board;[1]

8. *Also approves* the amendment to article 24 (b) of the Regulations of the Fund, as set out in annex XIV to the report of the Board, which would allow participants who return to active contributory service after a period of disability to count such periods of disability as contributory service without requiring the participant to pay contributions for that period;

9. *Further approves* the agreement of the Board to clarify that the scope of the revision in 2006 of article 24, concerning the elimination of the limitation on the right to restoration based on years of prior service, did not cover only those participants who had received a withdrawal settlement, but also those who had elected a deferred retirement benefit (full or partial) as long as no periodic benefit payments of their deferred benefit had been made, as set out in paragraphs 329 and 330 of the report of the Board, and as clarified in the technical amendments to the Regulations of the Fund, set out in annex XIV to the report of the Board;

III
Other matters

10. *Welcomes* the information that all the committees of the Fund had been presented and the Board had approved a declaration of conflict of interest, which referred to the mandate and the focus of each committee and covered the status, conduct and accountability of the members of the Investments Committee, the Committee of Actuaries and the Audit Committee;

11. *Decides*, upon the affirmative recommendation of the Board, that the Special Tribunal for Lebanon shall be admitted as a new member organization of the Fund, effective 1 January 2009;

12. *Emphasizes* that the United Nations and other United Nations Joint Staff Pension Fund member organizations should ensure the timely and accurate processing of documentation, including, inter alia, a certification that all suitable arrangements are in place to ensure that all debts to such organizations are paid in full, required by the Pension Fund for the payment of benefits;

13. *Takes note* of the information provided by the Fund on the status of the ongoing implementation of resolution 62/241 regarding the one-time, ex gratia, exceptional payment to retirees residing in Ecuador;

IV
Investments of the United Nations Joint Staff Pension Fund

14. *Takes note* of the report of the Secretary-General on the investments of the United Nations Joint Staff Pension Fund[2] and the observations of the United Nations Joint Staff Pension Board, as set out in its report;[1]

15. *Approves* the inclusion of contractual settlement provisions in the agreement with the Global Custodian of the Fund, under the strict terms and conditions and for the purposes recommended by the Representative of the Secretary-General and the Board, and upon legal terms and conditions in such agreement that maximize the protection of the Fund's legal interests;

16. *Welcomes* the continued effort of the Secretary-General, as fiduciary for the investment of the assets of the United Nations Joint Staff Pension Fund, to diversify its investments between developed markets and emerging markets, and requests the Secretary-General to ensure that, under the current volatile market conditions, decisions concerning the Fund's investments in any country should be implemented very cautiously, fully taking into account the four main criteria for investment, namely, safety, profitability, liquidity and convertibility.